

No. 7086-1Lab-70/24247.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Rubby Knitting Industries, Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 16 of 1970

between

SHRI R. D. RASTOGI, WORKMAN AND THE MANAGEMENT OF M/S. RUBBY KNITTING
INDUSTRIES, FARIDABAD

Present.—

Shri Darshan Singh, for the workmen.

Shri S. L. Gupta, for the management.

AWARD

Shri R. D. Rastogi was in the service of M S Rubby Knitting Industries, Faridabad. His services were terminated and this gave rise to an Industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, referred the following dispute to this Tribunal, for adjudication,—vide Government Gazette Notification No. 1D/FD/473 A 2022, dated 27th January, 1970.

“Whether the termination of service of Shri R. D. Rastogi was justified and in order. If not, to what relief is he entitled?”

On receipt of the reference usual notices were issued to the parties in response to which a written statement was filed on behalf of the management and the workman filed his rejoinder to the same. It was pleaded on behalf of the management that the workman was employed as a stenographer on 25th April, 1959 but as the respondent concern was still in its infancy stage, it was considered necessary to reduce the expenditure and the services of the Stenographer were found unnecessary. So his services were terminated with effect from 30th October, 1959 and the amount due to him was sent to him by cheque which he has accepted. It was also stated that the workman is gainfully employed elsewhere.

The workman in his rejoinder stated that he was employed in a permanent capacity and his services have been terminated wrongfully. The pleadings of the parties gave rise to the following issues:—

1. Whether the services of the claimant were found surplus and his services were terminated on ground of economy?
2. If not, to what relief he is entitled?

The management was represented by Shri S. L. Gupta. The issues were framed in his presence on 30th March, 1970 and the case was adjourned for evidence to 10th April, 1970. On the date fixed the representative of the management requested for a date for evidence. On his request the case was adjourned to 7th May, 1970. No body appeared on behalf of the management on the date fixed and the workman was directed to produce ex-parte evidence in support of his case and the case was adjourned to 18th May, 1970. After the case was adjourned an application was made by Shri Gupta for setting aside the ex-parte proceedings on the ground that although he had started from his home in New Delhi well in time but he was held up at the Railway Crossing in Faridabad for about 45 minutes. The representative of the management was directed to file an affidavit in support of his allegations and the case was adjourned to 2nd June, 1970, on the date fixed Shri S. L. Gupta made a statement that he had no instructions from the management to proceed further in this case. The workman was again given an opportunity to produce ex-parte evidence in support of his case.

The workman has appeared as his own witness and stated that he was allowed to work in the respondent concern only for about six months and then his services were wrongfully terminated. He

stated that it was incorrect to say that the management did not need the service of a Stenographer and his services were terminated for the purpose of reducing expenditure. He stated that soon after terminating his services, the management employed another Stenographer. He denied that he was working elsewhere.

Since there is no rebuttal to the evidence of the workmen, I am of the opinion that the termination of his services cannot be held to be justified and he is entitled to be reinstated with continuity of service and full back wages. I give my award accordingly. No order as to cost.

Dated 3rd August, 1970.

P. N. THUKRAL,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1181, dated 6th August, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Dated 3rd August, 1970.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 7088-ILab-70/24250.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M's Delux Rubber Industries, Bahalgarh (Sonapat).

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 92 of 1969

Between

SHRI HARI SINGH WORKMAN AND THE MANAGEMENT OF M/S DELUX RUBBER
INDUSTRIES, BAHALGARH (SONEPAT)

Present.—

Shri M. S. Rathi, for the workman.

Nemo, for the management

AWARD

Shri Hari Singh was in the service of M/s Delux Rubber Industries, Bahalgarh (Sonapat). He maintains that he had been in the service of the management from the last about 11 years but on 26th August, 1969 his services were terminated under verbal orders without any justification. The termination of his services gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal, for adjudication,—vide GOVERNMENT GAZETTE notification No. ID/RK/156-A-69/34945, dated 29th December, 1969.

“Whether the termination of services of Shri Hari Singh was justified and in order. If not, to what relief is he entitled”?

On receipt of the reference usual notices were issued to the parties. The service of the management was effected by Registered Post for 15th July, 1970, but no body appeared on their behalf. Shri M. S. Rath was present on behalf of the workman. An opportunity was given to him to produce *ex parte* evidence in support of his case and the case was adjourned to 24th July, 1970, for this purpose. On the date fixed

Shri Hari Singh workman appeared as a witness in support of his case. He stated that he joined the respondent concern on 1st January, 1960, and he used to work on the steam press. He further stated that the management asked him to work till 12 or 2 in the night and on his refusal to do so wrongfully terminated his services on 26th July, 1969. He stated that he has not been able to get any regular employment elsewhere. Since there is no rebuttal to the evidence of the workman, there is no reason to disbelieve his evidence. I hold that the termination of his services was wrongful and he is entitled to be reinstated with continuity of services and full back wages. I give my award accordingly. No order as to cost.

P. N. THUKRAL,

Dated 3rd August, 1970.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1179, dated 6th August, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Dated 3rd August, 1970.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

B. L. AHUJA,

Commissioner for Labour &
Employment and Secretary.

राजस्व विभाग

युद्ध जागीर

दिनांक 14 अगस्त, 1970

क्रमांक 4198-२(III)-70/19055.—पूर्वी पंजाब के युद्ध पुरस्कार अधिनियम, 1948 की धारा 2(ए) (1ए) और 3(1ए) के अनुसार सौंपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राज्यपाल 100 रुपये (केवल सौ रुपये) की वार्षिक युद्ध जागीर निम्नलिखित व्यक्तियों को उन के सामने दी गई फसल से व सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं :—

क्रमांक	जिला	जागीर पाने वाले का नाम	गांव	तहसील	फसल/वर्ष जब से जागीर दी गई
1	करनाल	श्रीमती लीला वन्ती, विधवा लाजपत राम	डी-102, होली मोहल्ला करनाल	करनाल	खरीफ, 1965
2	..	श्री कुन्दन राम, पुत्र बख्तविर राम	बुबका	धानेसर	खरीफ, 1965
3	..	श्री मादू राम, पुत्र बघावा	नयू आबादी, अमरगढ़, कैथल	कैथल	खरीफ, 1967
4	..	श्रीमती शान्ती, विधवा नरन्जन सिंह	खेड़ी शराफ अली	..	खरीफ, 1965
5	,	श्री हरी सिंह, पुत्र सरदारा	नौलथा	पानीपत	खरीफ, 1965
6	..	श्रीमती पनमेशरी देवी, विधवा धन सिंह	पालड़ी	..	खरीफ, 1965